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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/542,105	07/13/2005	Hisayuki Kawamura	28955.4030	1128
27890	7590	09/28/2007		
STEPTOE & JOHNSON LLP 1330 CONNECTICUT AVENUE, N.W. WASHINGTON, DC 20036			EXAMINER THOMPSON, CAMIE S	
			ART UNIT	PAPER NUMBER
			1774	
			MAIL DATE	DELIVERY MODE
			09/28/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No:**

10/542,105

**Applicant(s)**

KAWAMURA, HISAYUKI

**Examiner**

Camie S. Thompson

**Art Unit**

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed July 23, 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/01/07</u> . | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 1774

### DETAILED ACTION

1. Applicant's amendment and accompanying remarks filed July 23, 2007 are acknowledged.
2. Examiner acknowledges amended claims 1-4 and 6-7.
3. Examiner acknowledges newly added claims 8-15.
4. The rejection of claims of 1-6 under 35 U.S.C. 102(b) as being anticipated by Nakaya et al., 5,792,557 is overcome by applicant's amendment.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

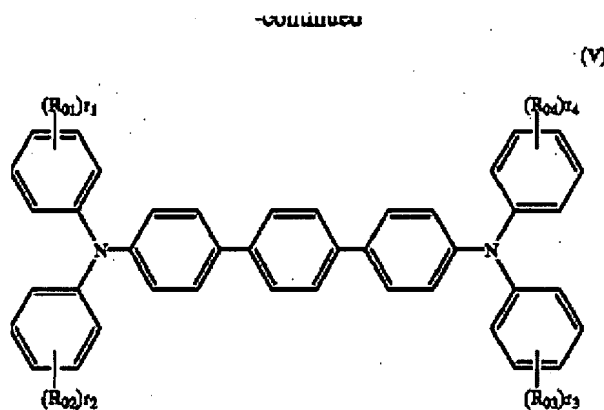
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-6 and 8-15 under 35 U.S.C. 102(e) as being anticipated by Inoue et al., U.S.

Patent Number 6,344,283.

Inoue discloses an organic electroluminescent device that comprises a pair of electrodes and an organic compound layer containing an organic compound with the general structure

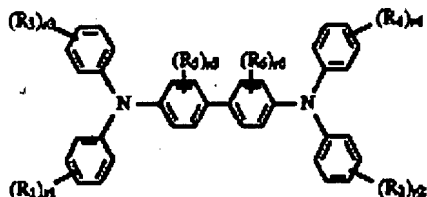
Art Unit: 1774



wherein  $R_{01}$  to  $R_{04}$  are listed in Tables 1-78 with  $R_{01}$  to  $R_{04}$  being different. It is disclosed in column 3, line 60-column 4, line 33 that the EL device comprises at least two organic compound layers wherein the organic compound layers include a light emitting layer, a hole transporting layer and an electron transporting layer. Additionally, the reference discloses that the aromatic amine derivative can be used in the light emitting layer, hole transporting and electron transporting layer as per the instant claims 2-6. Column 5, line 66-column 6, line 64 discloses that  $R_{01}$  to  $R_{04}$  may differ from one another. Compound 386 in the reference reads on present claims 8-15 when the compound comprises a naphthyl group.

7. Claim 7 is rejected under 35 U.S.C. 102(b) as being anticipated by Nakaya et al., U.S. Patent Number 5,792,551.

Nakaya discloses an organic EL element comprising a tetraaryldiamine derivatives such as



wherein  $R_1$  and  $R_3$  are an aryl group such as phenyl; and  $R_2$  and  $R_4$  are aryl groups such as naphthyl or anthryl groups (see column 13, lines 1-35);  $r_1$  and  $r_3$  are 1;  $r_5$  and  $r_6$  are zero (see column 4, line 31-column 5, lines 6). The reference claims disclose that the tetraaryldiamine derivative can be used in a hole-transporting layer. When  $R_1$  and  $R_3$  are an aryl group such as phenyl and  $R_2$  and  $R_4$  are aryl groups such as naphthyl, the compound in the reference reads on present compound H-10.

### *Response to Arguments*

8. Applicant's arguments filed July 23, 2007 have been fully considered but they are not persuasive. Applicant argues that the Nakaya reference does not disclose any example of wherein at least one of  $Ar_1$  to  $Ar_4$  is a condensed aromatic ring. It is disclosed in column 13, lines 1-35 that the substituents can include condensed rings such as naphthyl or anthryl groups. The Nakaya reference reads on compound H-10 of the present claims.

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

Art Unit: 1774

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Camie S. Thompson whose telephone number is (571) 272-1530. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano, can be reached at (571) 272-1398. The fax phone number for the Group is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
MILTON I. CANO  
SUPERVISORY PATENT EXAMINER